



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, सोमवार, 16 अक्टूबर, 1989/24 अश्विन, 1911

हिमाचल प्रदेश सरकार

PANCHAYATI RAJ DEPARTMENT

NOTIFICATION

Shimla-2, the 29th September, 1989

No. PCH-HA (5) 325/76.—In exercise of the powers vested in me under section 48 (2) of the Himachal Pradesh Panchayati Raj Act, 1968 (Act No. 19 of 1970) read with rule 37 of the H. P. Gram Panchayat Rules, 1971, I hereby delegate the powers relating to the leasing out of land of fisheries tanks/ponds owned by Gram Panchayats to the Fisheries Department or the Fish Farmers Co-operative Societies and individuals as may be recommended by the Fisheries Department, Himachal Pradesh for the purpose of encouraging fish production to the Deputy Commissioners in Himachal Pradesh subject to the conditions that the procedure laid down in this regard in the Himachal Pradesh Panchayati Raj Act, 1968 and the rules made thereunder is followed strictly.

The lease cases will be processed by respective District Panchayat Officers and record of such lease cases will be maintained in the office of District Panchayat Officer. Terms and conditions will be as under:

1. The Fisheries Department and FFDA will identify the ponds belonging to the Panchayats or to the community, which can be used for fish culture.
2. The Fisheries Department and FFDA will prepare brief project reports for each one of these ponds indicating therein the investment required in terms of infrastructure, i.e., raising of embankment, digging or cleaning the pond, improvement of water, improvement of soil, etc. and the recurring investment required in

terms of stocking, seedlings, providing the feed and nutrients, etc. The project report will also indicate the annual phasing of the repayment of the original expenses presuming that the entire money for that investment has been taken as bank loans. It will also indicate the reasonable rent or lease money for that pond.

3. The reasonableness of lease money should consider the following aspects:—

- (1) Original investment.
- (2) Repayment of principal and payment of interest.
- (3) Adequate returns to the lease for improvement of the farm and the skills etc. needed by the lessee.
- (4) The cost of stocking, feeding etc.
- (5) The previous leased amount if the pond had been leased in the past may also be taken in to consideration.
- (6) The projections must be based on realistic figures and not on theoretically possible yields. The inexperience of the fish farmers must also be taken in to consideration.

4. The Director of Planning will assist the Fisheries Department and FFDA in preparing a few of the project reports. Few of the project reports may be prepared in the next two months and sent to the undersigned also for information.

5. The normal period of lease should be five to seven years depending on the amount of investment required at the initial stages and recovery of those investments. However, the period for which the pond should be leased out should be mentioned in the project report itself.

6. The lease amount should increase every year so as to enable the lessee to recover greater of investment in the first few years.

7. The project report of the concerned pond will be given by FFDA/Fisheries Department to the Panchayat who will auction the pond keeping in view the lease money worked out in the project report.

8. Where a Panchayat passes a resolution to give the lease to a specific person who is interested in fish culture, auction procedure may not be insisted upon. However, in such cases, the Department of Fisheries or FFDA will prepare the project report on the above guidelines and will mention the reasonable lease amount for that pond.

9. The usufruct of the community in terms of drinking water for animals and other non-consumptive uses will continue to vest with the community, unless the Panchayat by resolution decides otherwise.

10. The lessee shall use the pond only for fish culture and will not draw the water for any other purpose.

11. The lessee shall report to the Fisheries Department/FFDA the production of fish every year.

12. The other things being equal preference should be given to the members of IRDP and Scheduled Castes.

Sd/-

Director of Panchayati Raj.